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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/073,620

02/11/2002

Mark T. Girard

AKI0003/US/2

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33072

7590

06/22/2006

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EXAMINER

TRINH, MINH N

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



### **DETAILED ACTION**

1. The amendment filed on 4/14/06 has been fully considered and made of record.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter recited in claim 27 such as “ a first and second trays having configuration requirement must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. Claims 27-40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In this case, the claimed subject matter of claim 27 such as component receptacle, and the engagement of the first and second component for restraining the motion of the at least one component of the components was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor at the time the application was filed, had possession of the claimed invention.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Royer et al (5,547,082). Royer et al discloses the tray system for holding and positioning components, the tray system comprising:

a first tray 10 comprising a first side having at least one component receptacle; and an opposite second side having at least one component receptacle (see Figs. 1-3); and a second tray 10 engageable with the first tray, the second tray comprising a first side having at least one component receptacle and an opposite second side having at least one component receptacle, wherein the second side of the first tray is adjacent the first side of the second tray so that at least one component receptacle of the first side of the second tray is substantially aligned with at least one component receptacle of the second side of the first tray for cooperatively restraining the motion of at least one component of the components positioned therein (as depicted in Fig. 2, and the discussion at col. 4, lines 8-10, etc.)

Limitation of claims 28 is also met as the above discussion.

### ***Response to Arguments***

7. Applicant's arguments filed on 4/16/06 have been fully considered but they are not persuasive.

Re. Drawings, it is still not clear as to whether the drawings show all the claimed features recited in claim 27 since no reference number representing a first and a second tray along with a receptacle associated therefrom. Therefore, the objection to the drawing is maintained as reasons provided from record. Note that under the "Remarks",

page 1-2 directs examiner to a number of drawings and description of a number of part that make up the receptacle however, there is no actually figure or reference number that stand for a first and a second tray or the receptacle associated therefrom.

Re. Specification, the rejection under 112 first paragraph is maintained as reasons from record since the claimed subject matter such as first and second tray and its associated receptacle for holding component is not fully described in the specification in order to make and use the invention.

Re. 112 second paragraph, amendment to the claims has overcome the 112-second rejections.

Further, a prior art rejections has been applied for amended claims 27-28.

This application contains claims 41-48 drawn to an invention nonelected. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### **Interviews After Final**

8. Applicants note that an interview after a final rejection will not be granted unless the intended purpose and content of the interview is presented briefly, in writing (the agenda of the interview must be in writing). Such an interview may be granted if the examiner is convinced that disposal or clarification for appeal may be accomplished with only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations which would require more than nominal reconsideration or new search will be denied. See MPEP 714.13 and 713.09.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited for their teachings of holding system including trays or the like.

It is noted that any amendment made to the disclosure and the claims. Applicant requires to point out the support provide numeral references to the claimed limitations as well as support in the disclosure (i.e., page and line numbers and reference number associated with from the drawings) for better clarity (See 37CFR 1.111 and section 2163.06 of the MPEP).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (571) 272-4569. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mt

6/12/06



**MINH TRINH**  
**PRIMARY EXAMINER**